

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

Civil Revision Petition No.6203 and 6599 of 2018

COMMON ORDER :

Heard both sides in both the matters involving the impugment of the order, dt. 17.09.2018 in I.A.No.113 of 2017 in O.P.No.47 of 2016 awarding of Rs.8,000/- per month towards interim maintenance to the petitioner-wife u/ sec.24 of the Hindu Marriage Act besides legal expenses of Rs.10,000/- pending disposal of the main O.P.No.47 of 2016 by the learned Senior Civil Judge, Dharmavaram, contending as excessive according to the husband and utterly low according to wife is the subject matter of both the revisions.

Undisputedly, M.C.No.5 of 2017 u/ sec.125 of CrPC is pending for granting maintenance. It is one of the contentions of the husband that his earnings are only Rs.45,000/- per month and hardly sufficient for his survival and she is not entitled to claim any interim maintenance but for if at all legal expenses.

Even an able body, it is bound to maintain his wife cannot be disputed that too it is only interim measure pending disposal of the main petition that too whatever the amount to be paid herein can be asked to be taken into consideration in fixing quantum or any adjustment in M.C.No.5 of 2017. Thereby there is nothing to interfere either to enhance or to reduce said interim maintenance of Rs.8,000/- per month and legal expenses of Rs.10,000/- awarded by the Court below.

Having regard to the above, both the Civil Revision Petitions are disposed of rather than dismissal with a direction to the learned Senior Civil Judge to dispose of the O.P.No.47 of 2016 preferably within six months. Consequently, miscellaneous petitions, if any, pending shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Date: 23.11.2018
b/ o. vvr